

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. James Junior Batts

Docket No. 7:11-CR-91-1BO

Petition for Action on Supervised Release

COMES NOW Kristyn Super, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Junior Batts, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with Intent to Distribute 28 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. § 846, Distribution of a Quantity of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), Distribution of 28 Grams or More of Cocaine Base (Crack), in violation of 21 U.S.C. § 841(a)(1), and Possession with Intent to Distribute 28 Grams or More of Cocaine Base (Crack) and Aiding and Abetting, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on January 13, 2012, to the custody of the Bureau of Prisons for a term of 84 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 48 months.

On January 21, 2015, the defendant's motion for sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) was granted and the previously imposed sentence of imprisonment was reduced to 70 months, effective November 1, 2015.

James Junior Batts was released from custody on May 11, 2016, at which time the term of supervised release commenced.

On July 20, 2016, a Petition for Action on Supervised Release was submitted to the court requesting that the conditions of supervision be modified to include substance abuse treatment and testing.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On August 28, 2002, the defendant was charged with two counts of Attempted Statutory Rape in Pender County, North Carolina. He pled guilty to those charges on May 27, 2003 and was sentenced to 46-65 months custody. It is noted that Mr. Batts is not required to register under Megan's Law; however, it is respectfully recommended that the conditions of supervision be modified to include participation in a psycho-sexual evaluation by a qualified mental health professional to determine if treatment is necessary.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall submit to a psycho-sexual evaluation by a qualified mental health professional who is experienced in evaluating sexual offenders and who is approved by the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Kristyn Super
Kristyn Super
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5104
Executed On: July 22, 2016

ORDER OF THE COURT

Considered and ordered this 24 day of July, 2016, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge